



PATENT
Customer No. 22,852
Attorney Docket No. 08386.0003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dennis W. WAHR et al.

Application No.: 09/845,162

Filed: May 1, 2001

For: EMBOLI PROTECTION DEVICES
AND RELATED METHODS OF USE

)
)
) Group Art Unit: 3763

) Examiner: Unknown
)
)

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

RECEIVED
JUN 24 2002
TECHNOLOGY CENTER R3700

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the document listed on the attached PTO 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitutes "prior art." If the Examiner applies the documents as prior art

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

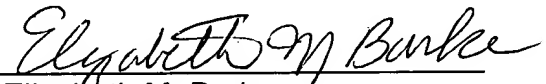
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 21, 2002

By: 
Elizabeth M. Burke
Reg. No. 38,758

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com